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The Extinguishment of the Right to Submit Procedural Pleas in Law due to Discussing the Merits of Action

*Kamal A. ALaween**

ABSTRACT

The right to defend is one of the basic rights in any litigation system since it is related to justice. A plea in law is a practical mechanism for exercising the right to defend because it aims at dismissing the action brought against the defendant on the basis of following procedures which are contrary to law. In order to strike a balance between the objective framework of procedural rules and the interest of justice, the law places certain requirements for exercising pleas in law. This article provides an accurate description and analysis about the concept of discussing the merits of action as a legal basis of waiver of right to apply for certain pleas in law. one of the main objectives of this article is to determine whether the provisions of Jordanian law is compatible with the aim intended to achieve that is interest of just and recognition of right to defend.

Keywords: The Right, Procedural Pleas, Merits of Action.

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